

UNITED STATES V. JAMES E. REID

**CRIMINAL NO. 04-10031-WGY
GOVERNMENT'S EXHIBIT LIST**

ID	NO.	OFFERED	ADMITTED	ITEM DATE	DESCRIPTION
A	1			03/13/01	Employee Agreement between Firepond and REID
B	2			03/26/01	Incentive Stock Option Agreement between Firepond and REID
C	3			07/10/01	Email message from REID to Besier regarding Meeting with Bombardier
D	4			11/15/01	Email message from Reid to McCormick, Radford, Misvaer, and Besier RE: Bombardier / Embraer
E	5			12/13/01	Email message from Misvaer to REID and Besier regarding Bombardier Contracts
F	6			12/14/01	Email message from Misvaer to Besier and Tanyel regarding Bombardier contracts
G	7			12/19/02	Software License Agreement, Services Agreement, Statement of Work, and Product Order Schedule between Firepond and Bombardier
H	7-A			12/19/01	Product Order Schedule between Firepond and Bombardier with signatures in the names of Pierre Beaudoin and Klaus Besier
I	7-B			12/19/01	Service Agreement between Firepond and Bombardier with signatures in the names of Pierre Beaudoin and Klaus Besier
J	7-C			12/19/01	Statement of Work between Firepond and Bombardier
K	7-D			12/19/01	Software License Agreement between Firepond and Bombardier with signatures in the names of Pierre Beaudoin and Klaus Besier
L	8			12/20/01	Email message from Misvaer to a number of individuals at Firepond forwarding Bombardier agreements; Reply email message from Marcy Way with Cash projections
M	9-A			12/20/01	Email message from Besier to REID and Freeman regarding a \$7000 advance to REID
N	9-B			12/20/01	FEDEX International Waybill transmitting \$7,000 check to REID and Firepond record for check 34172 to REID
O	[10]				RESERVED
P	11-A			01/08/02	Email message from Nelson to Marcy Way confirming that software was shipped to Bombardier
Q	11-B			01/08/02	Invoice number 11000660, dated 01/08/02, in the amount of \$2,000,000 to Bombardier

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R	11-C			01/08/02	Airborne Express receipt of package sent from Firepond to Bombardier (Attn: Steve Vogel)
S	12			01/23/02	Email messages from Bartz to Misvaer regarding Bombardier Action Item and RE: Bombardier Revenue Recognition Question
T	13			01/28/02	Email message from Watkins to REID regarding Bombardier Team Changes
U	[14]			02/25/02	Email message from Way to REID regarding hand delivery of Bombardier invoice.
V	15			02/12/02	Email message from Thibeault to Way regarding Bombardier wiring
W	16			02/15/02	Email message from REID to Thibeault and Way regarding Bombardier A/P Contact
X	17			02/15/02	Email message from Ledoux to REID and Chetty and forwarded to Way regarding Status Reports and FTC for the Bombardier Project
Y	18			02/21/02	Email message from REID to Thibeault and Way confirming discussion with Bombardier regarding wiring information and a billing address for Bombardier
Z	19			02/21/02	Email messages between REID and Misvaer regarding Joy Mining agreements
AA	20			02/27/02	Press release announcing Firepond's first quarter results
AB	21			02/28/02	Email message from Way to REID and Thibeault to follow up on Bombardier payment
AC	22			03/04/02	Email message from Way to REID and Thibeault regarding contacting Bombardier for payment
AD	23			03/05/02	Email message from REID to Way and Arun Chetty regarding payment from Bombardier
AE	24			03/12/02	Email message from REID to Misvaer, Besier, and others regarding Joy Mining Agreements
AF	25			03/13/02	Email message attaching 03/10/02 COO Status Report
AG	26			03/19/02	Email message from REID to Misvaer and Besier regarding Joy Mining Agreements
AH	27			03/20/02	Email message from Besier to REID regarding Besier getting very nervous about Bombardier
AI	28			03/21/02	Email from Ledoux to REID and Marcy Way asking REID to provide contact information at Bombardier
AJ	29			03/31/02	Invoice no. 11000862 from Firepond to Bombardier for \$146,783.01
AK	30			04/01/02	Email message from Watkins to REID regarding Bombardier Draft Kickoff Agenda

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AL	31			04/02/02	Email message from Ledoux to REID, Watkins, and Way regarding language Ledoux needs to see in an acknowledgment from Bombardier
AM	32			04/08/02	Email message from Ledoux to REID and Marcy Way discussing open items regarding acknowledgment letter from Bombardier - and REID's response
AN	33			04/08/02	Email message from REID to Misvaer and Ledoux regarding meeting to get ABB contract addendum done
AO	34			04/11/02	Email messages between Ledoux, REID, Misvaer, and Stephen Freeman regarding ABB Agreements
AP	35			04/12/02	Email messages between REID, Ledoux, Misvaer, and Besier regarding conference call on ABB contract terms
AQ	36			04/19/02	Email messages between Ledoux and REID regarding letter from Bombardier and contact information
AR	37			04/12/02	Letter from Steve Vogel of Bombardier to REID confirming payment to Firepond and project commencement
AS	38			04/24/02	Letter from Ledoux to Attn: Lise Benoit for Bombardier CIO Special Accounting Office, sent by FEDEX and enclosing contract, invoices, and documents mailed to 795 Carson Ave., Suite 14, Dorval (Montreal), Canada
AT	39			04/24/02	Email message from REID to Besier reporting that REID has received a faxed agreement from Joy Mining
AU	40			04/25/02	Email message from Thibeault to Way and Ledoux regarding delivery of the package to Bombardier
AV	41			04/25/02	Email messages between REID and Besier congratulating on Joy Mining and discussing ABB signature requirements
AW	42			04/26/02	Email messages between Ledoux and REID regarding Bombardier Collection Call
AX	43A			04/29/02	Software License Agreement between Firepond and Joy Global and bearing signatures in names of Misvaer and Bradley
AY	43B			04/29/02	Product Order Schedule between Firepond and Joy Global and bearing signatures in names of Misvaer and Bradley
AZ	44A			04/29/02	Email message from REID to Executive Team regarding need for one more signer on the ABB Contract, and Besier response
BA	44B			04/29/02	Email message from REID to Henriksen, Besier, and Misvaer about getting the two remaining signatures from ABB
BB	44C			04/29/02	Email messages between REID and Ledoux regarding ABB signatures
BC	45			04/29/02	Email message from Misvaer to REID, Way, Rouse, and Ledoux regarding signed Joy Mining contract

ID	NO.	OFFERED	ADMITTED	ITEM DATE	DESCRIPTION
BD	45A			04/30/02	Invoice number 11000930 from Firepond to Joy Mining for \$85,860.00
BE	46			04/29/02	Email message from Way to REID, Misvaer, Rouse and Ledoux regarding signed Joy Mining contract sent from Way at Firepond to REID in Canada
BF	46A			04/29/02	Email messages between REID, Way, Misvaer, Rouse and Ledoux regarding signed Joy Mining contract sent from Way at Firepond to REID in Canada
BG	[47]			04/29/02	Telephone Call between REID, Benoit and Ledoux regarding receipt of documents and payment by Bombardier
BH	48			04/30/02	Amendment to Software License Agreement Pricing Schedule between Firepond and ABB that is signed in names of Misvaer and Charles Dougherty
BI	49			04/30/02	Summary of License Revenue Complete for Bombardier revised April 30, 2002
BJ	50			04/30/02	Invoices numbered 11000922-928, to ABB Amendment to Software License Agreement and Annual Maintenance
BK	51			05/01/02	Email messages regarding proof of delivery of product to Bombardier on 01/08/02 via Airborne
BL	52			05/07/02	Email message from Marcy Way to REID regarding commissions
BM	53			04/24/02	Invoices numbered 11000880 and 881 from Firepond to Bombardier
BN	54			05/09/02	Email message from REID to Besier, Ledoux, and Davis regarding Lortie Call
BO	54A			05/09/02	Email messages from REID to Besier, Ledoux, and Davis regarding Lortie Call
BP	54B			05/12/02	Email messages from REID to Bishop, copy to Besier and Ledoux, regarding conference call with Lortie
BQ	55			05/16/02	Email message from REID to Ledoux, Besier, and Davis regarding call with Lortie at Bombardier
BR	56			05/16/02	Email message from Chetty to Ledoux, Way, and others regarding the ABB Statement of Work
BS	57			05/22/02	Email message from Besier to REID and others regarding call to thank Firepond's sponsor at Joy Mining
BT	58			05/22/02	Email Message from Marcy Way regarding payment of commissions and payments due from ABB
BU	58A			05/22/02	Email Message from Way regarding instruction not to transmit commissions until Besier signs off
BV	59			05/22/02	Email message from Bradley to Morris regarding agreement with Firepond
BW	60			05/24/02	Email message from Ledoux to Way and Thibeault regarding call with Morris on payment due from Joy Mining

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BX	61-A			05/28/02	Email message from Pierre Lortie at Bombardier in reply to Besier's email regarding payment from Bombardier
BY	61-B			05/30/02	Email message from Serge Bisson at Bombardier to Marlene Girard regarding Histoire Etrange
BZ	62			06/04/02	Email message from Besier to Firepond employees regarding REID
CA	63			06/19/02	Announcement of revised financial results released by Firepond
CB	64			n/a	Summary Chart - REID Earnings
CC	64A			2001	Summary 2001 Earnings Report for REID
CD	64B			2002	Summary 2002 Earnings Report for REID
CE	65			n/a	Summary Chart - Expense Checks
CF	65A			n/a	Expense Check Records
CG	66			n/a	Summary Chart - Other Expense Reports
CH	67			various	Expense Report Summaries
CI	68			06/06/02	Email message from McCormick to Misvaer outlining Bombardier time line
CJ	69			06/12/02	Email message to McCormick asking him to refund commissions of \$53,232 on the Bombardier deal
CK	70			12/15/04	Certified copies of REID's Canadian criminal record and fingerprints
CL	71			12/14/01	Deal Sheet and Commission Statement regarding Bombardier transaction
CM	72			04/30/02	Deal Sheet and Commission Statement regarding Joy Mining transaction
CN	73			04/30/02	Deal Sheet and Commission Statement regarding ABB transaction
CO	74			n/a	Summary Chart of Commissions Paid and Unpaid on the Bombardier, Joy Mining, and ABB transactions
CP	75				RESERVED
CQ	76			12/02/03	REID's employment contract with DFI
CR	77			04/30/04	REID's termination agreement with DFI
CS	78			03/2003	DFI's proposal to Nestle
CT	79			03/2003	Email messages between REID and Tim Wolfe of Nestle
CU	80			05/31/02	E-mail message from Robert Lefcort at Bombardier to various individuals including Pierre Beaudoin regarding Firepond/Bombardier issues
CV	81			n/a	Photograph of 795 Carson Avenue, Dorval (Montreal), Canada
CW	82			n/a	Photograph of 795 Carson Avenue, Dorval (Montreal), Canada
CX	83			n/a	Photograph of 795 Carson Avenue, Dorval (Montreal), Canada

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CY	84			02/17/03	Letter from Alain Ricard at Bombardier to LeeAnn Gaunt at USSEC re: Firepond
CZ	85			06/12/02	Memo from Robert Lefcort at Bombardier Aerospace to Daniel Desjardins regarding Firepond
DA	86			2001	Resume of Jim Reid obtained from Firepond
DB	87			04/26/02	Phone record showing a telephone call of 3.3 minutes from REID to Litton T.A.S. Call Center at 541-631-1000
DC	88			04/18/02	Phone record showing a telephone call of 1:06 minutes from REID to Litton T.A.S. Call center at 514-631-0000
DD	89			10/29/03	Printout of internet website pages of Litton T.A.S.
DE	90			05/27/02	Invoices from Litton Telephone Answering Service to Jim REID
DF	91			n/a	Yellow Page Listing for Litton Telephone Answering Service
DG	92			UNDATED	Employee Information Form for REID
DH	93			03/14/01	Form W-4 (2001) for REID
DI	94			03/26/01	Application for the American Express Corporate Card
DJ	95			04/02/01	Application for Group Coverage for REID
DK	96			04/02/01	Custom Group Insurance Enrollment and Record Form
DL	97			11/15/04	Agreement to Retain the Services of Titan Software Sales by PROPHIX
DM	98			12/21/04	Letter agreement documenting terms and conditions in which REID will supply services to PROPHIX as interim VP of Sales and Marketing
DN	99			07/25/05	Purchase Order with additional Terms and Conditions for \$8,275,000 purchase by Epicor from PROPHIX
DO	100			08/25/05	Invoice from Titan Software Sales to PROPHIX for \$149,880
DP	101			08/26/05	Wire Activity Summary Report and Accounts Payable records reflecting payment of \$50,000 to Titan Software
DQ				09/23/05	Email message from Bally Boodram to Greg Horton regarding PROPHIX/Epicor transaction
DR				10/07/05	Email message from Boodram to Barber, REID, McRae and Walker regarding Epicor/PROPHIX transaction
DS				10/12/05	Email message from McRae to Barber forwarding REID email message from 03/2005 regarding Epicor
DT				09/14/01	Letter Agreement regarding Severance between REID and PDS, with related General Release
DU				10/02/00	PDS Client Profile for Encal Energy
DV				09/29/00	Documents regarding a \$14,500 payment from Encal to PDS

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